

>> EDWARD K. SMITH: Hello. My name is Edward K. Smith.

>> ANN NOVELL: My name is Ann Novell, and we head up the Broadband Mapping Program here at NTIA. We'd like to welcome you to today's webinar.

Today's workshop is going to be an overview of the Broadband Data and Development Program, otherwise known as the National Broadband Mapping Program.

If you are on the line today because you have questions or you're seeking information about the Broadband Technology Opportunities Program, also known as BTOP, we will not be answering any questions related to BTOP today.

This seminar -- this workshop will only focus on the Broadband Mapping Program. If you have questions about BTOP, please go to [broadbandusa.org](http://broadbandusa.org) where you will see a listing of available workshops, presentation materials, and other ways to have your

questions answered for that program.

We will also be providing a transcript of this webinar as well as the presentation and that will be available on NTIA's website.

>> EDWARD K. SMITH: So to begin, I'm going to begin by talking about the statutory authority underlying the program. So there are two sources of legislative authority: the American Recovery and Reinvestment Act of 2009 and the Broadband Data Improvement Act which passed unanimously through Congress in 2008.

So pursuant to Section 6001(1) of the Recovery Act, NTIA has been charged with developing and maintaining a comprehensive, interactive, and searchable national inventory map of existing broadband service capability and availability in the United States depicting the geographic extent to which broadband service capability is deployed and available from commercial or public providers in each state.

Furthermore, in the Recovery Act, Division A provided that there would be \$350 million or up to \$350 million allocated pursuant to the Broadband Data Improvement Act, BDIA, and for the purposes of developing and maintaining the National Broadband Map.

As far as BDIA, BDIA enabled NTIA to establish the State Broadband Data and Development Program which is intended to award grants to eligible entities to develop and implement statewide initiatives to identify and track adoption and availability of broadband services in each state.

So as you can see, the statutory authority actually comes from two sources and that's a critical part to understand because it is NTIA's responsibility to develop and maintain this National Broadband Map and ultimately post it on its website by February 17<sup>th</sup>, 2011, and the grant-making authority originates in BDIA.

So a little bit about some of the more

critical parts, the money. Award amounts.

So NTIA's expecting to award up to approximately \$240 million in matching grants to states, so territories, and, of course, the District of Columbia.

So to be clear, while we are authorized under the Recovery Act to expend up to \$350 million for this program, for grant purposes going out to the states, we'll be expending up to about 240 million. So these related awards are expected to range and that range will be based on the specifics of each individual state, you know, such factors as population size or population density, rural population, existing capability, and so in each case, we'll be evaluating the budgets that are presented and determining whether or not they are appropriate for the projects that are being put forward.

Furthermore, there will be planning-related awards, planning-related awards up to \$500,000 per state, and planning awards will

be contingent upon participation in the Mapping Program.

So if you're interested in getting planning funds under this, they will have to be done in conjunction with the Mapping. There can't be any planning awards made without mapping awards, as well.

Furthermore, it's a matching grant program and so grant recipients are required to contribute at least 20 percent of non-federal matching funds towards the total project costs.

Now these funds can be in the form of in-kind contributions and we understand that these are difficult economic times and in fact the purpose of this program is in part stimulus and therefore, you know, we recognize that there are a lot of needs at the state level and we're hoping to satisfy that by working with you to look for in-kind options, in-kind contributions, and we'll talk a little bit more about that later.

And to answer a question that's come up a number of times about the waivability of the 20 percent match requirement, the statute requires this. It's a 20 percent statutory match and therefore unlike in the BTOP Program, it's not waivable by NTIA.

>> ANN NOVELL: So now we're going to talk about some important dates for the program. We've received a number of questions about when applications are due, when data is due, how long the grant period is.

So applications are due August 14<sup>th</sup>, 2009, at 11:59 p.m., and those applications must be submitted electronically through grants.gov and we'll have some more information about that later in the workshop.

And by September 15<sup>th</sup>, we will begin announcing awards on or -- on or about September 15<sup>th</sup>. Within 30 days of the award, NTIA will be making documents available to successful applicants and within 60 days of the award announcement, NTIA does expect

compliance with all the applicable documentation from successful applicants. So a critical date in terms of -- in terms of states is February 1<sup>st</sup>, 2010. February 1<sup>st</sup>, 2010, is the date by which states are expected to provide a substantially complete dataset to NTIA.

You'll see underneath, by November 1<sup>st</sup>, 2009, that date is a preferential date. As it states in the NOFA, NTIA has a preference for substantially complete availability datasets by that time.

Also as stated in the NOFA, and we want to be very clear here, states that are unable or believe they are unable to -- to collect a substantially complete dataset by November 1<sup>st</sup> should propose an alternative in their application.

We understand that states are in varying degrees of readiness in terms of broadband mapping. So we want to hear from you a realistic picture of what you can do by that

date.

So March 1<sup>st</sup>, 2010, a month after the February date, is the date by which we expect data, complete data to have been collected, and February -- February 17<sup>th</sup>, 2011, is the statutorily-mandated date for the public posting of the National Broadband Map.

So as you can see, this is a little ways out, but in order to get this map into the form required by law, that is why we need -- we need to start collecting this data early and we simply can't get it too soon.

Something I also want to make clear here is that the period of performance for this grant is five years and so that means it is -- for those of you who are also applying for BTOP funds notes that this is different.

The broadband mapping award is for five years and your budget should include that.

>> EDWARD K. SMITH: And actually one point I should have brought up before.

The matching requirement should be considered over the span of the grant and so that 20 percent is 20 percent over the course of five years.

>> ANN NOVELL: And we're going to focus for a moment on grant eligibility.

So the eligible recipients for the Broadband Mapping Program really must meet a two-pronged test. First, they must fall into one of three categories: an agency or instrumentality of the state, a municipality or other subdivision, a non-profit organization or independent agency or commission in which -- in which a state is a member on behalf of the state, and the single eligible entity has to be designated by the state.

So whether -- whether the state chooses to use a public utilities commission, a CIO's office, a municipality, or, in certain circumstances, a non-profit organization, the state must designate that organization

or agency or instrumentality as the designee for these grant funds.

And something I just want to add very quickly. I believe we may have overlooked this at the beginning.

Many of you have submitted questions through the website to the e-mail address,

[broadbandmapping@ntia.doc.gov](mailto:broadbandmapping@ntia.doc.gov). For this webinar, we would like you to continue submitting questions that you have. We'll be taking questions that we've received over the last few days at the end of the workshop and we'll also be taking new questions that are submitted.

So if you have a question about a point that we make during the presentation or if you have a new question, please submit that.

Again, this e-mail address is

[broadbandmapping@ntia.doc.gov](mailto:broadbandmapping@ntia.doc.gov).

>> EDWARD K. SMITH: So now I'm going to talk a little bit about the data that we're hoping to collect here and so it's our

intention that each state will provide structured data to NTIA and ultimately NTIA will share this data with the FCC as our partner in this effort on the following data points.

Availability of data. We're looking for availability of broadband service at the address level or as close to the address level as permitted by technology type.

So to be clear, depending on the technology type, the data may be submitted to NTIA by the state and, of course, all of this in accordance with Appendix A in different formats, and so for -- for facilities-based terrestrial providers, wireline providers, we're going to be looking for address level data in the form of a tab-delineated file, an Excel spreadsheet, for example.

And for wireless broadband service providers, we're expecting that the states will be providing us data in the form of geo-reference polygonal map, a map file.

Furthermore, we're going to be looking for information data on speeds, advertised speeds and expected actual speeds or typical speeds, of broadband service, and this is going to be upstream and downstream, and to give you a sense -- so for typical speeds, and, of course, as I'll say multiple times, all of this is laid out in the Technical Appendix.

We'll be looking for speeds at the rate that most subscribers to the service at the maximum advertised upstream speed can achieve consistently during expected periods of heavy network usage.

Furthermore, we're going to be looking for the technology used to deliver the service and so this means are you delivering it -- is it broadband? I mean, is it cable broadband? Is it DSL? Is it fiber to the home? Is this a wireless service or YMAX? We're going to be looking for average revenue per user. We're looking for the

location and capability of certain critical broadband-related infrastructure. This is an especially important point for us.

And furthermore, as far as wireless broadband service providers are concerned, we're going to be looking to -- to get data on the spectrum that's being used by such wireless broadband service providers.

So then we've gathered all this data, and what are we going to be displaying on the public map? What's it going to look like at the end of the day?

Well, it's our expectation that the public map will contain geographic areas in which broadband service is available, the technologies used to provide such service, the speeds at which the service is available, and we're going to want to know about broadband service availability at certain critical points and so public schools, libraries, hospitals and colleges, you know, community anchor institutions and

the sort, and ultimately that's what's going to be display, and again all of this is pursuant to our direction under the Recovery Act, that we make a comprehensive map that is interactive, that is searchable, and so, of course, all of this will be searchable at the address level.

And, in addition to these data points that we'll be gathering, we're going to be trying to combine information from all over the Federal Government, from numerous sources, and so the map should be able to display ultimately socioeconomic indicators, demographic trends, political boundaries, and -- and other such things. So it's going to be a truly comprehensive map at the end of the day.

So I want to talk a little bit about data confidentiality and as required by BDIA, the states participating in this process have to protect the confidentiality of sensitive data and in this process, they can enter

into NDAs or non-disclosure agreements, and we understand that this is an important thing for a lot of people who are seeking to protect what can be in some cases sensitive data.

However, you know, we -- we expect certain restrictions on what these non-disclosure agreements may do and may include.

Primarily, they cannot restrict a grant recipient from providing all data collected to NTIA.

You know, this is data being collected with taxpayer dollars and as the awards of that and the people running the program at NTIA, it's important that we receive all of this data in the interest of transparency, openness, and -- and making sure that we're verifying everything, and we're going to be very busy at this level working with the FCC in verifying all the data.

Furthermore, the non-disclosure agreement can't restrict NTIA's ultimate use of such

data contemplated under the NOFA, including sharing such data with the FCC or other federal agencies as appropriate, and so, you know, again it's important that we have the flexibility and the ability to use this data in pursuit of our purposes, our policy-making goals.

And furthermore, states may not agree to a more restrictive definition of confidential information than the definition adopted by the program and that's very important. So I'll talk a little bit about what definition we've adopted here for confidential information.

So our definition of confidential information includes trade secrets, commercial or financial information submitted under the program that (a) identifies the location, type and technical specification of infrastructure owned, leased, or used by a specific broadband service provider, (b) identifies the average

revenue per user for specific broadband service provider, or (c) explicitly identifies, explicitly identifies a broadband service provider in relation to its specific service area or a specific service location.

To be clear, if it doesn't fall into one of these three categories, under this program it's not confidential information and so while this definition and while the restrictions placed on the NDAs may be more restrictive than NDAs that are used in the commercial context and have been used in other instances, for purposes of this program, this is our definition.

Now, I want to add in, and we've had a lot of questions about this, a point about FOIA, the Freedom of Information Act.

Of course, all data that we're collecting under this program and identifying as confidential information pursuant to our definition, we're going to seek to protect

as vigorously as possible. However, ultimately, we are still subject to FOIA rules and therefore, you know, we will protect it only except as required by applicable law and FOIA being the principal one of those.

So Ann.

>> ANN NOVELL: So now we're going to spend a few minutes discussing the grant application and the narrative requirements. All of this is contained in the Notice of Funds Availability and we will try here to add a little more texture around that. So each application must address five review criteria: data, project feasibility, expedient data delivery, repeated data updating, and planning and collaboration. Now, to be clear, we've received a number of questions in terms of the rankings and the scorings, and we want to make sure it's clear here that, while some of these categories may be weighted more heavily than

another, each category has to be fulfilled and fulfilled in a manner that is going to make a feasible grant program in order for us to be able to award a grant.

So when we're talking about data, we are talking about comprehensive and verifiable broadband data. So what we want to know is how a state is going to collect this data, we want to know how the data will be verified, and we will be looking very carefully at the applicant's proposed methods for verifying data.

If you note in the Notice of Funds Availability, there are some examples listed in Footnote 26 and we think this is -- we think it's very important that the verification process is spelled out clearly, that states have a clear idea of what they want to do, and it is -- we are -- we are looking at the adequacy of the verification, and so we know that that is going to be accomplished in a number of ways.

So when we look at -- we are also going to be looking at accessibility and we are going to be looking at how the data is going to be accessible to and clearly presented to and easily understood by the public.

We are also going to be looking at security and confidentiality. We want to understand how for the information that is confidential and needs to be secure in those three categories that Smitty mentioned, we want to understand how the state proposes to protect the data.

Next under Project Feasibility, which is another 30 percent, we're going to be looking at the budget and we are going to be looking at something that is reasonable and cost-efficient.

Clearly, budgets are going to differ.

Budgets are going to differ based on population, based on population density, based on size of the state. Budgets are going to differ based on whether a state has

done broadband mapping before, whether they're starting from scratch or whether they have some infrastructure in place, and a budget will also depend -- while we -- while the NOFA certainly allows and encourages, and we think most states have a strong interest in developing their own broadband map, it is not necessarily required, and so certainly that would impact the budget, as well.

When reviewing the project feasibility, we will also be looking at the 20 percent match contribution and we'll be -- we'll be discussing that a little bit more in the webinar.

I know there are questions around specific guidelines for matching contributions and we'll try to help flesh those out a little bit more.

We'll also be looking at applicant capacity, knowledge, and experience. Now, this can come in a variety of ways, but we want to

know why -- why the applicant, why the state, and if you're going to be subcontracting or sub-granting, why whoever you're going to be using is qualified to do this.

What have -- what other -- what other examples of this type of data collection in the broadband industry or in other industries do they have? How have they made you secure in the idea that they're going to be able to collect this data, that they're going to be able to work closely with state and local government, with the specific agencies in the state that will be involved in this process?

So when we look at expedient data delivery, we are going to be looking at the timeline that you set up. So you're going to be setting up a timeline, based on the dates that we've given. How are you going to get this data in?

Now, the most important date to us is

February 1<sup>st</sup>, 2010, and that is when states would be required to have a substantially-complete set of all broadband mapping data in by that time.

Now, we do have a preference for a substantially-complete set of availability data by November 1<sup>st</sup>, and as I mentioned earlier, if you cannot provide a substantially-complete set of this data by November 1<sup>st</sup>, and we know that for many of you that will not be possible, given where you are in the broadband mapping industry and all of that, we would ask you to provide an alternative -- provide an alternative in your -- in your budget -- in your narrative. So next, we'll be looking at the process of repeated data updating. So this project goes -- lasts for five years and so we want to understand how, once you get the first set of data, are you going to be continuing to get that data. It does need to be updated twice yearly, and we also would like

to know what is your plan going forward after those five years.

And the last piece is planning and collaboration, and while it shows here 10 percent, this is a critical, critical piece of the application, and it is about the collaboration because we know that this project will get done. We know that this is very important to Congress and to the Administration. WE know that we can get this data, and we know that we'll be able to get it because of creative solutions that you, the states, are able to come up with, and a lot of that is going to be in planning and collaboration.

And so we want to understand who are you -- who are you working with in your state. Is it the PUC? Is it the GIO's Office? Is it the CIO's Office? How are you all working together? Are there outside organizations you're working with?

In some cases, states that are going to

designate non-profit entities, we want to clearly understand how -- how that outside 501(c)(3) will be -- will be coordinating with the state, with the -- with the state agencies, as well as with -- for -- for all applicants with broadband service providers, with mapping companies.

We basically want to understand what's your plan because this isn't something that's going to work in your state if it's go-it-alone by one agency.

Now, a number of folks have asked questions around the idea of the broadband planning grant and so we want to put a few things out there and again if you have questions during -- during the webinar, please send them in to [broadbandmapping@ntia.doc.gov](mailto:broadbandmapping@ntia.doc.gov).

So the broadband mapping grants, first, are only available to those states or territories that also apply for a mapping grant. You can't simply apply for the planning grant.

The description of the broadband planning grant uses should be in the Narrative Section under Planning and Collaboration. So it's not a separate narrative. It's within the Narrative that you'll be submitting in the 40 pages of the whole. Additionally, for -- if you are going to apply for the broadband planning funds, you do need to provide a separate budget narrative and spreadsheet for the planning portion of the request.

So how you're going to use the broadband planning grant, the general narrative, that should be in Planning and Collaboration.

The budget -- the budget piece and the spreadsheet should be -- should be separated out, so we can be clear on the costs there, and states have available up to them \$500,000.

So what is -- a big question we have gotten is what is available for planning -- for broadband planning grants and so how can you

use these awards?

Well, they are laid out in the Notice of Funds Availability under the BDIA Purposes, Section 1, under Footnote 6.

It lists them out, but basically we would include under these the identification of barriers to the adoption of broadband services and IT services, the creation and facilitation of local technology planning teams, and the establishment of computer ownership and Internet access programs.

Now, a number of states have asked questions in terms of how these -- how these categories relate to planning and where we really see that falling in is looking at the methods used to identify the barriers to the adoption of broadband and IT services, and we think that that's really where there's a lot of synergy around broader broadband planning activities as your broadband planning activities would clearly be looking at adoption as well as availability, and so

things like state broadband councils or task forces and interagency collaboration groups within state or local governments. These are examples of things that would also be available under the broadband planning grants.

Now, as we did also mention before, for the -- you know, broadband planning is a primary purpose of a state and so for states for whom 501(c)(3)s are going to be submitting as the designated entity, we do in the narrative want to clearly understand how the coordination with the state will work and how the -- how the coordination, how the collaboration, and -- and -- and the extent to which the state involvement will continue to play the primary role around broadband planning.

>> EDWARD K. SMITH: So now I'm going to talk a little bit about mechanics. How will this process work? What happens after your application gets here? How will the review

be conducted?

So the review process will be a three-stage process. The first will be a pretty straightforward eligibility check. So we'll screen applications for our eligibility factors as laid out in the NOFA and so, in short, those factors are: are you an eligible applicant?

We talked a little bit about what eligible applicants were earlier. You know, are you either an agency or a municipality of a state, you know, or municipality? Are you a non-profit organization? Are you an independent agency and, of course, most importantly, have you been designated by the state?

We're going to consider whether or not you are capable of and whether or not you have provided adequate evidence that you're capable of the matching requirement.

Now, again, remember this is a match over the course of five years. It's non-

waivable, 20 percent, and it's going to be a match in which we will encourage you to seek in-kind recognition. So look around your state, look at resources and try to find ways to -- to contribute in-kind.

We're going to be considering whether or not -- and this is a statutory requirement provided under BDIA -- whether or not you've agreed to the confidentiality requirements, and we're going to be looking at whether or not you've agreed to and demonstrated adequately that you can obtain the information that we're requesting under this NOFA and -- and that's all in accordance with the Technical Appendix, Technical Appendix, and so if you -- if you do not demonstrate that you will be obtaining this information and you have the means by which to obtain this data, then, unfortunately, that's an eligibility requirement and you won't be eligible.

If you propose -- if you present a proposal

that does not include, you know, a proposal for the obtaining of this information, if you come in and say, well, we'll obtain these data points but not these other data points, well, then, also, that's a negating factor. You will not be eligible under the program. So we're going to be looking at that right off the bat.

Furthermore, we're going to then go on and do a technical review and so this will be -- and we again lay this all out in the NOFA, a review by a panel of at least three peer expert reviewers that will evaluate the applications pursuant to the evaluation criteria that Ann just went through and that are laid out in the NOFA, and then provide those ratings to the Program staff.

And so in reviewing this, they will be signing and submitting a non-disclosure and confidentiality form and the conflicts of interest form.

Now, you know, just to, you know, be very

clear about this, about the role that these peer expert reviewers play, they'll be providing us with a -- a review and a score for each applicant.

However, they don't make ultimate determinations about the grant award and so that determination resides at the Program staff level and above and so they will simply be giving us their graded assessment of the strength of each application.

The next step, very important step is the programmatic review and the revision process. So then after we receive from our peer and expert reviewers their grading of each application, we're going to review them and see if they meet with our program rules, and after that, and I think this is a very important point, depending on the strength of the application, we're going to be reaching out and working with the applicants, working with you guys at the state level to refine and further develop

each application because it's important to us that you have strong applications, that you're proposing a strong project, and therefore we're going to be working, indeed working very closely, with each applicant to make sure that their applications and their proposed projects conform to what we need to see in order to approve them and ultimately give them a grant award.

So this is a collaborative process and it's a very important process and we look forward to working with you.

So after that, the Associate Administrator will review and approve the slate of applicants that the Program staff puts forward and then that is presented to a selecting official, being the Assistant Secretary of NTIA, and that Assistant Secretary will select the applications that will end up receiving grant awards and awards will then be issued.

And so just to understand, again I cannot

emphasize enough the importance of the review and negotiation process and so, ultimately at the end of that process, it is our hope, we can make no promises, it is our hope that every application will be at a point where we'll be able to provide a grant award and you'll be able to begin collecting this data.

>> ANN NOVELL: So now we're going to move into a few more mechanics and these mechanics are around how to apply.

I know that there has been some confusion in terms of the BTOP BIP grant application process versus the broadband mapping grant application process. So we wanted to lay out here for folks just an easy how-to in terms of applying.

So, first, you're going to go to [grants.gov](https://www.grants.gov). You're going to select Apply for Grants and when you select Apply for Grants, you're going to come on the second screen that's on the bottom of this page here and you'll see

an Important Notice.

That Important Notice urges you to register early because it can take -- it can take a little bit of time to get your information in the system. So we strongly, strongly urge everyone to go on to grants.gov, to register early, to make sure that you're not doing that on August 14<sup>th</sup> at 11:58 p.m.

And then you're going to go to Step 1 and you're going to go to Download a Grant Application.

From there, you're going to come up with a screen and that screen will give you a few options. You can put in the CFDA Number, the Funding Opportunity Number, or the Funding Opportunity Competition ID.

In the box for Funding Opportunity Number, you're going to put in 0660-ZA29 and we'll, of course, have this -- we will put this in our FAQs to make sure it's clearly listed, but that's -- that's the Funding Opportunity Number that you're going to need.

Then you're going to select Download Package and after you select that, a new screen will come up and you will see this page that's listed at the bottom here of this PowerPoint page and you'll see Instructions for Application, Download. You're going to click on that button over on the bottom right-hand side and then you're going to get to a new grants.gov page and that's going to offer you two options to download the application instructions and to download the application package.

You need to download both of these. The application instructions are fairly short. It's a one-page document, and the reason for that is what you need to put in is clearly stated in the NOFA.

So if you go to that part around Evaluation, we're able to -- you'll -- you'll -- it clearly states what you need to -- what you'll need to be putting in there.

Your -- just a note is that your application

does require, besides these standard forms listed here, it needs a letter of state designation. So you're going to need that - - that state designation letter saying that your -- your agency, your municipality, your commission or in some cases your non-profit organization has been -- has been designated by the state as the official applicant for this program.

And then, lastly, you're going to download the application package. So the grant application package is what you will -- is how you will actually be submitting your forms and you will download this. You will be able to save it. You can print it. You can check for errors.

We really highly, highly recommend, particularly if you've not been at grants.gov before, that you go in, that you play with it beforehand, that you get used to it, so that you're not having any technical problems at, you know, again 11:57

on August 14<sup>th</sup>.

So it's a pretty straightforward process.

A number of folks have asked where the forms are available. If you look at this -- first, if you look at this page that's showing up here on the left-hand side, there's a piece that says Mandatory Downloads and under those Mandatory Downloads are the various forms that you'll need to put in. So you select one, you press that button in the middle, it moves over, you can download the form, and then you can reupload it.

So it's pretty self-explanatory, but if you do have questions, you should let us know.

We want to make sure that the technical glitches don't prevent anyone from applying.

Now, in a moment, we're going to move to some questions that have been submitted to [broadbandmapping@ntia.doc.gov](mailto:broadbandmapping@ntia.doc.gov). You can continue submitting questions there.

What we're going to do in order to organize this process is we're going to take a two-

minute break and we will go on mute. We will be back in two minutes and we will start answering questions that have come in through broadbandmapping at that time. You're welcome to continue to ask questions. Please stay on the line. Please don't hang up. I think a lot of these questions will probably be answering questions that you have.

So we'll be back in two minutes.

[Mute.]

>> EDWARD K. SMITH: All right. So we're going to start with some questions here and so to begin, a question came in saying will there be additional grant opportunities for mapping grants beyond the August 14<sup>th</sup> deadline?

And the answer is no, we don't anticipate holding additional broadband mapping grant opportunities or issuing additional NOFAs and so it's very important that we get this right this time.

Now, of course, you know, we are expecting these grants to be proposing projects that will extend over the next five years.

However, with regard to additional NOFAs, additional grant opportunities, changes, we are expecting that this is going to be it.

>> ANN NOVELL: The next question we received then, which is something a number of folks have asked, is if a state is choosing to procure a vendor in order to fulfill specific requirements on the grant program, must the state award the contract to a vendor by the date of the application to NTIA?

So the answer to that question is no. We understand a lot of states will be issuing, and a number of you have already issued, RFPs. We don't expect that you have to have the contract awarded to a vendor by that point.

We do expect that in order to have a grant application that is fundable, that we --

that you know specifically what you're asking of your vendors, what the scope of work is, what the -- what the costs will be. A number of you have also said that you will probably not have -- you will probably not have the actual bid fulfilled by then but you may know who your potential bidders are and that information certainly will be helpful, as well.

And so next question.

>> EDWARD K. SMITH: So the next question that I have is may a state apply for less than the \$1.9 million or more than the \$3.8 million?

Okay. So the 1.9 and 3.8, that's a range, really, and so the answer is yes, a state may apply for less than 1.9 or more than 3.8 and so, you know, that said, this is what we expect and we've done some research as to what we think this is going to cost and so budgets will be evaluated according to our standards set forth in the NOFA and there

are a lot of factors that go into determining this range.

And so in proposing your budget and in trying to determine whether or not you need less than 1.9 or more than 3.8, you should understand that (a) this is a grant that is going to extend over the period of five years and therefore there will be multiple updating, biannual updating, and so it may differ a little bit from estimates that you've gotten for a one-time map.

Furthermore, we're going to be requesting, we are requesting information that's in some cases a little different, perhaps a little bit more granular than information that's been requested in other instances. So that's another reason why your prices may vary.

Also, we are requiring methods of verification for the data which we expect will also have budget implications and -- and so, you know, there's going to be, you

know, things to consider, like the maintenance of the state map for those of you who are proposing a state map, and so really it's going to be a -- a case by case assessment of -- of how much it should cost. However, we do expect you to provide strong justification for anything that's included in the budget and the 1.9 and 3.8 is simply the range in which we expect most of these applications will come in.

>> ANN NOVELL: So I'm going to go through actually a couple questions right now that have very quick answers.

Is the period of performance for the planning funding also five years? That is up to you.

And can states sub-award the planning funding to local agencies or does all the contracting need to be done by the designated state agency?

A number of folks are planning on using subcontractors. You can use one, you can

use many. What we want to see is a budget that is efficient, that makes sense, and will get the data collected in -- in the least possible time.

We've also got a question from a state that we want to get the data -- we want to get going with the data-gathering now. How and when do we get the written approval of NTIA on Page 15 of the NOFA?

So for that one, if you want to start the data-gathering now, give us a call and/or send over an e-mail and let's talk about how we can work with that.

Another question is if we can provide the URL so that we can download the PowerPoint that's currently being displayed.

The URL is going to be on NTIA. So National Telecommunications and Information Administration, ntia.doc -- for Department of Commerce -- .gov, and that will be put up soon, but it is not available at this moment.

We also have a quick question on a state that has an opportunity for substantial mapping -- matching funds and the question is whether those funds have to be approved by the time to submit for the grant, and so if -- I think what -- what you need to do in your grant application is provide information about the source, how far along are you in the process, and we'll -- we'll continue to work with you on that.

Smitty, I know you had another one there.

>> EDWARD K. SMITH: Yeah. Actually, I wanted to -- following up on the question about the -- about the match, we had a question that came in asking if the 20 percent match can be demonstrated over the full -- after we've noted that it's demonstrated over the full five-year span of the project, they wanted to know can the match be provided evenly through the five-year period, even though the bulk of the effort and the expenditure of the grant

funds would be really in the first year of the project.

And so the Department of Commerce requirement requires that the -- the match be provided on a dollar for dollar drawdown, dollar for dollar basis. So therefore, if, indeed, your costs are more heavily weighted in the front end, you know, you're going to have to match 20 percent earlier on for, you know, that larger amount and then lesser amounts thereafter.

But it really is a dollar for dollar, you know, 20 cents/80 cents type of breakdown, but if this is an issue, we can work with you and find a way to sort of, you know, to get you where you need to be.

>> ANN NOVELL: Okay. Another question that's just come in -- came in is the NOFA makes it clear that underserved areas are made up of Census blocks. It is also clear that, as a whole, the underserved area must be less than 40 percent adoption.

Can individual Census blocks within the underserved area have more than 40 percent adoption?

So the answer there is that we are looking for an average across the service area. So if you got some -- if you got some that are in one category and some that are in another, we're looking for an average across the service area.

>> EDWARD K. SMITH: So we had a question that came in asking if there are any specific agencies or departments or independent organizations at the -- well, independent departments or independent organizations that we should be working with in order to get designated funds from the state? Will it change from state to state? Oh, okay. Okay.

Actually, this is someone very much looking for business and so it's going to depend on state to state. As we said earlier, the governor -- the state designates the

recipient of the funds. It may be an agency within the state. It may be a 501(c)(3), but it's really going to depend and so you should reach out to your state governor to find out who's been designated. All right.

>> ANN NOVELL: Now, another question we have is if a state does not apply, what will NTIA do?

As you have probably read in the NOFA, if a state chooses not to apply for broadband mapping funds, NTIA will collect the data required to develop the National Broadband Map.

>> EDWARD K. SMITH: So a question came in asking what's meant by substantially complete dataset and so -- so this -- this is actually laid out in the NOFA, but we had some questions about this. So I'd like to clarify it.

Substantially complete dataset means the data has been obtained and this is a four-part test, all four elements of which must

be satisfied. From 70 percent of broadband providers in the state serving 80 percent of households and 90 percent of households in rural areas in the state and 95 percent of community anchor institutions, and every element of that must be satisfied.

So if there's an instance in which the state has obtained broadband data from 80 percent of broadband service providers in the state but those 80 percent only service 50 percent of households and 40 percent of households in rural areas and, you know, 70 percent of community anchor institutions, then substantial completion has not been achieved.

You have to meet every single one. It's important because we're looking at, and especially in the case of the rural households, we're looking to make sure that, you know, there's been -- that no major parts have been missed, that there -- that we have at that point a substantially

complete view of broadband service availability across the state.

>> ANN NOVELL: So a next question we have -  
- actually, this is one around determining the size of the grant that's appropriate for each state.

We mentioned this a little bit before in the presentation. You know, there are no specified weights in this regard. What we urge you to really look at is, as you're looking at your budget and your narrative, what is appropriate, given the work that is before you?

Do you have a -- do you have a large geographic area to serve? Do you have a highly-rural population? Do you have a combination of urban and rural populations? Have you done some of this work before? Do you have systems in place? Are you starting anew?

All of these things would -- would obviously factor in. So there are no specific weights

but what we're looking for is -- is a justification for -- for the money you're asking for in order -- in order to do this. And, you know, one other question was just brought up and I know when we were talking about confidentiality, one of the things we mentioned in terms of what you'd be able to find on the National -- the National Broadband Map which will be searchable by address and it is -- we do want to make very clear that carriers, broadband providers are able to give us consent to show that at a specific address, what it is that they're providing and the feed, and -- and this is in fact what has been done in Canada, and we fully expect that a number of broadband providers are in fact going to want to do that. We've already heard from some who are interested.

And so what we are looking for is information that's going to be helpful for consumers.

>> EDWARD K. SMITH: So I have a question here, come in from a state, saying that they have an existing contract for mapping but it doesn't meet all the requirements of the NOFA and so they would like to know can they amend the contract or is it a preference to have a new RFP released and a new contract, I assume, signed?

So this is really going to depend on state procurement laws, state procurement rules, and so it's going to differ from state by state. I don't want to opine as to, you know, what's allowable in any particular state.

Since, however, there's nothing in our program that prevents either option, either an amendment of an existing contract or, you know, the sort of reissuance of the RFP and a new contract being entered into.

So it's really going to depend on what's allowable at the state level.

>> ANN NOVELL: Okay. Another question we

have is whether vendor discounts count as part of the matching requirement.

So vendor discounts may not be applied toward the matching requirement, but donations can be applied toward the 20 percent match, match requirement, and so that's certainly something to take into account if someone is offering you a discount on, you know, a number of licenses for a computer program at a different hourly rate, something like that.

Then what that simply does is bring your total budget costs down, but if someone is providing you a donation of time of services or of -- or software or hardware, something like that, then that is something that can be applied toward the 20 percent match requirement and something that's, I think, important to point out here is, you know, there are, in each state, you know, every state right now and territory and the District of Columbia are applying for

Recovery Act funds.

So there are folks in your state, whether they're in different agencies, who are very familiar with the OMB Circulars in terms of what is allowable, in terms of in-kind and match, and we would urge you, if you're not already working with them, to take advantage of those resources within your state because there are folks who are experts and, you know, we will continue to work with you and we want to work with you, but sometimes they may be able to get an answer to you quicker because they may be working on a number of other Recovery Act projects right now.

>> EDWARD K. SMITH: So another question that just came in from the states. Can the match include investments in data that the state has already made, data that would be crucial for completing the project?

And the answer to that is yes, and an in-kind contribution of previously-obtained data can be part of an awardee's match, if

that data is indeed appropriately allocated and dedicated to the funded project.

And so the value of this data is going to be based upon the value at the time it's dedicated to the project, not at the time it's obtained, and -- and so, you know, this is very important because the big issue, and you should, you know, talk to, you know, your accountants there at the state level, is going to be a matter of determining the market valuation of the data and -- and so this will oftentimes depend upon a number of factors, factors like, you know, how -- how relevant is the data to the current state of things.

So if this data is extremely stale, then its value may be negatively impacted, and what were the methods used to obtain this data, you know, what kind of data is it, and so, you know, the real, you know, critical issue here is determining that valuation, and so we invite you -- this is in the NOFA -- to

present to us in your budget narrative an explanation of the -- you know, of the accounting you used in order to reach your conclusion about the in-kind value of that data.

However, that data does have value and so, you know, those of you who have already been out there tolling, working hard in the field to actually, you know, put together maps already, to gather a lot of this data already, you know, we want to make sure that, you know, you're being recognized for that data.

So, yeah, that's the quick and dirty of it.

>> ANN NOVELL: So another question we just got in. If providers are having difficulty getting data, as they've suggested, such as R-approved data, will the, quote unquote, substantially complete definition be flexible to accommodate such difficulties? So I think this is a really good question and it -- it feeds into a lot of other

questions we've had. You know, for example, if a provider refuses to provide some or all of the data, you know, what does that mean? And I think this is where we really want to talk about how important it is to (1) to work together. We're going to continue working with you. There are a number of states, we have heard, who are already coming together or starting to come together to work on a regional basis.

We want to be creative in how we're looking at collecting this data. There is a -- there are a lot of different -- there's a variety of ways to get different data and, you know, certainly states that have the ability to legally compel such data, you certainly have something there, you know, but in the absence of that, that doesn't mean that -- that options are -- are off the table.

And so we really want to encourage folks to work together, to look at different

approaches, to look at what different kinds of levers you may have already, whether that's in -- in a regulatory sense, in a legislative sense, in a -- whether that means in looking at what your region is -- what your region is doing.

But the substantially complete definition is the substantially complete definition and we have full confidence that we will -- that we will all be able to attain this information.

>> EDWARD K. SMITH: So I like this question. It's a question I've gotten a few times.

So what's the remaining \$110 million being used for? Wouldn't we all like to have that?

Well, the remaining \$110 million is going to be used for a number of purposes. First, there are going to be -- there are expenses and costs at the federal level in gathering this data and, indeed, the statute says not the \$350 million must be awarded to the

states in the grant program, but rather up to \$350 million may be used pursuant to the development and maintenance of the National Broadband Mapping.

So there are costs, substantial costs at the federal level in, you know, the operation and the development and maintenance of the ultimate map.

Furthermore, we are obligated under the terms of the Recovery Act to -- to obligate all \$4.7 billion of Recovery funding, and this is including BTOP and the Mapping Program, all of it together, by September 30<sup>th</sup>, 2010, so the end of Fiscal Year 2010.

So if we don't spend it in the mapping, it's going to be rolled back into other grants and this will be infrastructure grants, demand grants, public computing center grants, grants under the larger BTOP Program that are, oh, so important to stimulating the economy and to improving broadband nationwide.

>> ANN NOVELL: Well, I'm excited for this question and it's -- it's a real question. We didn't just put it in here, but it's nice to have an easy one sometimes.

The question is are you aware of any state that has already -- that already has mapping data in the detail required by NTIA, and the answer is no.

And then the next question was, if no state has mapping data in that level of detail, shouldn't every state apply for a mapping grant?

And -- and we really hope that every state and territory and the District of Columbia will apply for a mapping grant.

>> EDWARD K. SMITH: I really like that question. Yes, everyone should.

So there's a question that came in asking about subscriber info to determine penetration and so -- so the focus of this program and the focus of the mandate, Congress's mandate through our statutory

requirement is on availability, broadband availability.

However, we recognize that penetration, adoption, to use another term, is -- is as important when it comes to having a full understanding of the broadband landscape and where the United States is in terms of broadband and what we need to do in order to advance things.

And so we're going to be working very closely with the FCC to integrate data, data that they already have and that they're collecting through the Form 477 efforts to integrate that into the National Broadband Map, so that the National Broadband Map will also display information about adoption.

And just as the map in terms of availability is going to be updated and organic and growing, you know, those same adoption figures and that information will be similarly overlaid as a layer on the map and updated.

So that -- that's the answer to that.

>> ANN NOVELL: Okay. So we just received a question. What list of broadband providers in a state will be used to determine if the required percentage of providers is achieved?

And this actually dovetails nicely with a question we got over e-mail about two or three days ago about how folks should go out determining, you know, who their broadband providers are.

So, you know, the bottom line is that the states should create that list of -- of broadband providers in a state used to -- to determine the required percentage, and how they should do that, there are a number of ways to do that.

One, we would certainly encourage states that have done mapping exercises before to share some of their methodology with other states, but there are a number of ways to go about doing it.

I think it includes probably all of the above, looking -- working with some of the trade associations who certainly have lists of all their members, working with regional groups who may be aware of smaller providers, particularly with wireless service providers in particularly rural and remote areas.

It's looking at if there's a regulatory authority in the state, if there are licensed telecommunications providers and understanding which of those also provide broadband.

So it is -- it is certainly some work to create that list and that's something that we'll -- that we'll hope to see in your narratives, as well.

Another question that we just got in is can the state revoke a designation from an entity and, if allowed and a state is forced to revoke a designation, what happens to the grant money?

So on the first, can the state revoke a designation, it's really a state law question. There's nothing in our rules that prevent it. You'll have to consult with your attorneys.

And if you -- if that does happen and you revoke a designation, what happens to the grant money? In -- in that sense, the Commerce regulations govern grant monies and so if something like this should occur, you know, we would work with you in that instance.

>> EDWARD K. SMITH: So we have a timing question and -- and again we understand that there are a lot of people thinking hard about timing and that's good. We want you to be thinking hard about timing.

So the question says, well, the schedule on the slide shows that 60 days after September 15<sup>th</sup> -- 60 days after September 15<sup>th</sup> date, the award docs are to be completed and that puts us at November 15<sup>th</sup>, therefore how are states

supposed to submit broadband availability data by November 1<sup>st</sup>?

And so it -- the answer is it's no later than 60 days and a lot of this process, a lot of this back and forth is going to be dependent on the speed at which the states either adjust or accommodate, you know, in the course of negotiations, you know, changing their project proposals to fit the needs -- fit the needs of our program and respond to us, respond to our questions on our part.

So we've built in sort of, you know, a -- a good healthy block of time that can be greatly compressed if states are quick in responding and quick in action, and I'm certain that all of you will be.

So we want to award all of this money as quickly as possible. We want to complete all the award documents as quickly as possible and so, you know, that's going to involve collaboration between NTIA and the

states and it can -- it can go a lot faster than the timeline and -- and, you know, that's our intention, that's our hope.

>> ANN NOVELL: I have a question here that was just submitted.

How does the flexibility you mentioned relating to the range of 1.9 million and 3.8 million reconcile to the floor of 1.9 million and the ceiling of 3.8 million listed on grants.gov? Will we have the ability through grants.gov to request a grant amount outside of the established floor and ceiling?

So the answer to that question is yes, you will certainly be able to request a grant outside of that amount. I do want to make a note only because we -- we can't underscore it enough, that for a grant -- for a request of a grant award larger than 3.8 million, you will really need to make an incredibly strong showing of why.

You know, we -- there was a lot of due

diligence done in terms of figuring out, determining what could -- what would make the appropriate costs and so we really need to understand very clearly and explicitly why -- why more than 3.8 million would be required.

And another question that we have is what are some ways that states can protect the confidentiality of provider data?

So I think we've talked about some of these things but probably -- we probably talked around some of them and not directly at them.

So, you know, there are a couple of ways states can protect confidential information that they receive from broadband service providers. One certainly is -- is whether the state has the ability to protect it. You know in your state what your sunshine laws are. You know whether your attorney general has, you know, already made an opinion as to what constitutes certain

confidential information or whatnot and how long that may take. That is certainly an option in order to be able to -- to keep that internally.

Some of you have statutes on the books relative to telecommunications regulations or some of the public utilities commissions have specific authority if they are the designated entity. So there are a lot of things to look for in state law.

Another option and, of course, we already know many of you are looking at this, is to use a contractor to -- who will be collecting and -- and holding some of that data for you and so that is certainly another option that -- that you can use and I think we do just want to clarify -- we just want to make sure that, you know, regardless of the methods used to protect the confidentiality of the information at the state level, all of the information collected under the program must be

delivered to NTIA as -- as provided in the NOFA.

So I know there have been some questions states have brought forward from various potential contractors who've wondered about what do they get to see and, you know, how do they determine that. You know, that's -- you all get to decide that and what's going to work and what's going to be the best solution in your state.

What we need to know and what needs to be clear in the narrative is that you -- that you will be providing all the information collected under the program to -- to NTIA.

>> EDWARD K. SMITH: So we just got a question that I think is a really good question about privacy and about individual information and so just -- I want to make it extra clear that individual information, personally-identifiable individual information is not being collected by this program and so when we say that we are

looking for address level, you know, address level searchable information, that does not -- that will not speak to, you know, what an individual at a particular address is subscribing to.

It will just speak to what is available at that address, just like you may know the electricity is available at a particular address, but it doesn't speak necessarily to that, you know, the individual usage of electricity at that address.

So it's -- it's a question of what can be obtained there by, you know, someone at that address, not what is actually being subscribed. So I want to make that clear, that this is not something that is going to be focused on, you know, the individual personally-identifiable information.

So the -- another question that we got is sort of about the planning grant and the definitions with regard to the planning uses -- sorry -- deadlines with regards to

planning uses.

The question is, is the February 1<sup>st</sup>, 2010, deadline requirement different for the planning use and the answer is yes.

The February 1<sup>st</sup>, 2010, deadline is a deadline for the delivery of data for the mapping purposes, but your planning programs, your planning uses, we expect that they will vary widely, you know, will -- don't have such a deadline and so while we are going to expect that in the course of reporting and reporting your progress and reporting your performance under this and there are reporting requirements laid out in the NOFA, to learn more about, you know, what you're doing with the planning funds and some of the accomplishments you've made and where you are in the timeline of the planning funds, you're not bound to produce anything by February 1<sup>st</sup>, 2010, the way you are for -- for the collecting data.

>> ANN NOVELL: So a question we have in is

that, you know, you -- you addressed or you talked about the question of what happens if a provider refuses to provide some or all of the data, but I'm wondering what can be done if a provider is willing but unable to provide data in the format requested by -- by NTIA.

So I think that there -- there's a good distinction to make here and Smitty described it a little bit when we were going through the PowerPoint, and what we want to make clear is that the NOFA requires that the state provide data in the form requested in the NOFA to NTIA.

So that doesn't mean that what a broadband provider provides to you necessarily has to be in the form requested by NTIA.

Now, we do expect that the major providers either already keep data in this manner or that there is -- it would not be a substantial burden in order to -- it would be a relatively straightforward process in

order to -- to move that -- to move that data in.

You know, we do understand that in exceptional cases, particularly with certain smaller providers, that this information, you know, may not be available in -- that this information may not -- that they may not simply have -- have the information available in this format and then it's really up to the state in how it -- in terms of how you want to proceed.

So, you know, certain states who have done broadband mapping before, they have cleaned the data themselves that they've gotten in from a provider. I mean perhaps the provider didn't have address level -- didn't have address level data but had street segments and the state had an accurate address file. So they then went back in and were able to determine what the addresses were and, of course, then in this program we also call for a method of -- of considerable

verification.

You know, we've also gotten a question, and I'll just bundle this here, it came in a few days ago, whether -- whether we would ever be able to -- whether the grant would allow for people to be able to pay providers in order to -- to put the data in the right format.

And, you know, again I think we -- we think in the vast majority of cases the data is already in this format or it's a relatively straightforward process to move it in that format. You know, in exceptional cases, this may be considered -- it would really be done on a case by case basis.

But we think there -- you know, there are a lot of different -- there are a lot of different ways to get it. But a primary difference is -- is making sure we're all clear that it can -- that you can get it in one way and it's -- it's the duty of -- of the state or the designated entity to be

able to then provide it to NTIA in the format that we are -- that we are requesting.

>> EDWARD K. SMITH: So I -- I got a request from -- from a state and it says that, you know, they're interested in making sure that -- that they partner appropriately with other states where they're practical and beneficial to the program goals, and this is really important.

We've been -- you know, we've emphasized a few times on this call the importance of states partnering, you know, sharing best practices, sharing information, using collective influence and collective, you know, power to, you know, to work together with providers or work together to, you know, convince providers to participate and so, you know, we wanted to -- so -- so this state in particular wanted to know if we could publish a list of potential applicants or maybe the list of those of you who

registered for the web seminar.

So this -- this is a good idea and -- but we'd like some feedback. So why don't you guys on the webinar just let us know if you're interested in sharing who you are via, you know, your e-mail address, you know, send it in to our

[broadbandmapping@ntia.doc.gov](mailto:broadbandmapping@ntia.doc.gov) and let us know how you'd like to communicate with each other because we want to do our best in facilitating you guys, you know, talking to each other and trying to figure out the best way to do this because ultimately we really do want strong applications from every state.

>> ANN NOVELL: And let me just -- just clarify and make sure everyone knows who is on right now, that this was an open webinar, so anyone was able to -- to -- to come in and -- and be on the webinar.

So if you're from a state, you should know that there are -- there are potential

vendors on here. There may be just other interested folks, so just to keep that in mind.

We will be reaching out specifically to -- to states where we already know who the contact person is to help facilitate getting in touch, getting you in touch with other states, if that -- if that is what you'd like.

>> EDWARD K. SMITH: So there was a question about the searchable nature of, you know, the broadband availability data. We say that it's going to be searchable by address and that's true and the question is, you know, is that by address only for households or is it by address for schools and other public buildings, businesses, and it will be searchable by address for all addresses in the state. So this is households, this is schools, public buildings, businesses, you know, anywhere where we have an address listing, to be honest, and so, you know,

that's -- it's going to capture the full gamut.

>> ANN NOVELL: And we're going to take another quick break here for about two minutes. We've been getting a large number of questions in. So let us just recalibrate for about two minutes and figure out where we are in the queue.

Again, we are going to try to get to as many questions as possible today. Some questions, which may be interpretive or may just simply require us to go back and do a little more information-seeking for us to answer them, you know, we won't be able to answer those today, and we'll do our best to get back to you on them.

So we're going to go on hold for about two minutes and then we'll be back again.

[Mute.]

>> ANN NOVELL: Thanks, everyone. We are back. We're going to go for about 10 more minutes here.

Some of you have asked some fantastic questions. Some of them have been quite complicated and they're not going to be things we're going to be able to get to today, but we will get back in touch with you so we can talk these over in -- for states applying for funds, we'll be back in touch with you to be able to get answers to these.

So why don't we start with our questions we've just gotten over the last few minutes?

>> EDWARD K. SMITH: And also, a lot of the questions that you guys have asked will end up in our FAQs and so you'll be able to find answers to them there.

So I'll go next. So the question came in, will we make the Form 477 data, that's the FCC's Form 477 data available to states, including the confidential information? And is there any way that a state can view and receive all the Form 477 data pertaining to the service providers within their states?

Well, on all aspects of this program, we're working very closely with the FCC and we are working with them in trying to determine an answer about the availability of the Form 477 data and -- and we're hopefully open for some resolution very soon.

So just keep paying attention to our website, keep paying attention to our FAQs, once we put it up, and we'll give more guidance on the Form 477 data.

>> ANN NOVELL: Okay. One question we just got in is I've been told by a potential contractor, I won't name it, the name of the contractor, that provider data -- the provider data provided can be used as a match. If so, how is that data to be valued?

So we would be very concerned about using provider data as a match. As we -- as I mentioned a little bit earlier, we believe that for the majority of the providers, that this data is already in the format needed

or, if not, would not require a significant amount of work to be able to get it in -- in that format and we would -- you know, it is not to say that this is excluded, but it will be on a case by case basis and we'll really need to understand the circumstances as to why provider data could be used as -- as a match which would essentially be used as a -- as paying for -- for provider data. And the next question is you are seeking advertised and, quote unquote, expected actual speeds. Why then is there no provision in the NOFA under the Infrastructure Grants for actual speed tests?

So on the -- on the infrastructure grant side, because this data -- this data has not been collected and because the BTOP Team wanted to make sure that this was as user-friendly as possible and so in trying to do that, they believed that -- they believed the easiest methodology was advertised.

If we determine -- and I want to be very clear here. If we determine that providers are acting improperly to prevent award, we will take appropriate action.

It is illegal to lie to the Federal Government and it is something that -- that neither of these programs will -- will -- will tolerate in any way, shape or form.

Now, I recognize that this -- this question was actually related more to BTOP, but it's a good question that can also relate to the Broadband Mapping Program because certainly speed tests would be something that could be used as part of a state verification method and, you know, we would, of course, want to see a methodology and understand how the state was going to do that and we know some of you have raised some privacy concerns about various things.

But we would -- in terms of personal privacy, but that is something -- speed test would actually be something that a state

could look at when determining how they're going to verify some of this data.

>> EDWARD K. SMITH: So we have a question asking about what grant funds can be used for, and -- and in specific, can grant funds be used to pay for additional data collection, beyond what we've been asking for, and so, you know, the examples that are given are light R for urbanized areas and so the answer really is, you know, especially -- and this goes for, you know, data collection. This also goes to, you know, your state maps, is that it's up to you. You know, we tell you what we expect you to provide, you know, at the base level, but if you wish to go above and beyond that, then you are certainly encouraged to do so. However, the important thing, and we will be carefully evaluating this, is that in including additional data collection and which we presume would also involve additional costs, you don't compromise the

quality of what we are requiring you to provide and so, you know, if it works within your requested amount, it works within budgetary constraints, and doesn't otherwise compromise the data collection that we are requiring and the schedule for data collection and the other efforts that we stipulate in the NOFA, then, yes, you can go above and beyond.

We encourage you to be innovative. We understand the states are laboratories for innovation and so perhaps we can learn a lot from some of the things that you guys decide to develop, you know, on your own.

I had another question here, just asking about what the basic criteria are for broadband, and the -- the definition that we're using for broadband is the provision of two-way data transmission with advertised speeds of at least 768 kilobytes per seconds downstream and at least 200 kilobytes per seconds upstream to end users, and so this

is the floor and, you know, we, of course, you know, recognize that the range of broadband service extends well above that. But this is the floor FCC definition that we are using for this program.

>> ANN NOVELL: Another question that just came in is what is your suggestion for a largely rural state that (1) has small providers who are unlikely to have customer lists and (2) has no public or commercial option for a master address file?

So I would suggest if -- if you feel that -- that there is not a commercial option, if you don't -- your state does not have a master address file and you don't feel that there's a viable commercial option for your state, give us a call and let's talk through that a little and understand more specifically the concerns in your state, you know, vis a vis other rural states and -- and we'll work with you on that.

>> EDWARD K. SMITH: So --

>> ANN NOVELL: We -- we do -- we do have one. This is just good to say again, to be clear.

Where is the application for the program located, and does it need a separate grant application from the BTOP BIP Program?

So again, for this program, essentially Broadband USA acts as -- as a way to transmit some information about this program, but it's not where the application is located. You need to go to grants.gov in order to apply for the Broadband Mapping Program. You can't use the BTOP -- the BTOP application and for grants.gov, it does need to be submitted electronically.

>> EDWARD K. SMITH: So -- so we had a question about pre-award costs and -- and the costs of determining unserved versus underserved.

One thing that we asked for in the NOFA, in the Program Narrative, is a description which can be provided in the form of a map,

of what areas are unserved and underserved in the state, what areas the state believes to be unserved and underserved areas, and we believe that, you know, (a), you know, the provision of this is, you know, optional and we also believe that, you know, to give the state level applicants opportunity to see a snapshot of areas where there's perceived need, where there's a perception of inadequate broadband deployment and -- and the cost of doing that, as it is part of the application, as it is part of the project summary, you know, can be considered pre-award costs.

However, per-award costs have to be approved by us. We'd expect that you'd keep the cost of doing such a snapshot because indeed it is to be just that, you know, a -- a quick view, you know, very reasonable, relatively low, but, you know, at the time of approving the budget and in the course of reviewing the award and approving the budget, we will

then, you know, approve that use, you know,  
if it's indeed deemed to be reasonable.  
Let's see.

>> ANN NOVELL: So one -- one question that  
came in is my state is considering  
designating an entity that has a -- a  
501(c)(3) that's done work in my state for a  
number of years now and what -- what  
responsibility does my state have relative  
to that -- to that designated entity?  
So that's a very good question. You know,  
as we understand, that is -- that will not  
pertain to most of you, as we've heard from  
most states at this point. We understand  
most states are looking at either doing this  
inhouse or -- or contracting out to -- to a  
vendor or series of vendors.  
If -- if your state is looking at using a  
designee that is a 501(c)(3), we really want  
to understand how the state will continue to  
play an active role in the project funded by  
the grants under this program.

So that means both the mapping and the planning process. You know, we think that, you know, in -- in creating this authority, you know, Congress recognized the importance of the states in their role in the improvement of broadband data and that states -- you know, that we know states have been leaders in this across the country and so we know -- we really think that the states need to continue to play an active role.

We want to understand how this is going to happen. We want to understand who those key folks in the state will be and which key agencies they are and -- and that should -- and that should all be included within your application narrative.

>> EDWARD K. SMITH: And I actually would like to sort of touch that point, as well. You know, given the unique relationship between the states and the service providers, we really think that substantial

state involvement is going to significantly increase the likelihood of successful project and also, given, you know, the inherently public policy nature of broadband planning, you know, we think that the states are -- are absolutely the most appropriate actors to be involved in such a process and so, you know, seeing that there's going to be substantial state involvement, you know, in the administering of those funds and managing these processes, you know, is important and will be taken into consideration.

It's not to say that it can't be done otherwise. It's not to say that a designee isn't capable, but we're going to be looking for a very strong justification, very strong explanation of how that 501(c)(3) designee or, you know, independent --

>> ANN NOVELL: Commission.

>> EDWARD K. SMITH: -- commission is -- is going to be working to, you know, to

integrate with states in the process.

So you know what? It's been wonderful.

We've gotten a lot of great questions.

Thank you so much for joining us. We're committed to working with each of the states and territories to help you guys achieve success and we really appreciate all the great questions and we'll be addressing additional questions because they continue to flow through the door via the website and so, you know, that can be on -- oh, I'm sorry.

>> ANN NOVELL: Just one more thing, which is, you know, at this point we have successfully reached out to most states. I know that Smitty and I have talked to most of you on the phone today.

If -- if we haven't been in touch with your state, it probably means because we're not sure who is heading up efforts in your state. So if you let us know that and any questions that you have, we would really

like to be in touch, make sure that we can  
work together to create a successful  
application.

All right.

>> EDWARD K. SMITH: Thank you very much.

Happy Friday.